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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/911,293	07/23/2001	Sanghoon Sull	069234.0109	2894

7590 11/17/2004

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EXAMINER

SMITH, PETER J

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 11/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/911,293

Applicant(s)

SULL ET AL.

Examiner

Peter J Smith

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-83 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-83 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input checked="" type="checkbox"/> Other: <u>Re-numbered claims rule 1.126</u> . |

DETAILED ACTION

1. This action is responsive to communications: application filed 7/23/2001.
2. Claims 1-83 are pending in the case. Claims 1, 16, 30, 33, 46, 47, 48, 54, 57, 58, 67, 69, 71, 73, and 80 are independent claims.

Rule 1.126

3. It is noted that claims 74-76 on page 144 have the same numbers as claims 74-76 on page 142. Apparently these claims were intended by Applicant to depend upon the method claim 80 and not the content transcoder claim 73. Therefore, the Examiner has re-numbered the claims as numbers 81-83 with claims 81 and 83 depending on independent claim 80 according to Rule 1.126.

Election/Restrictions

4. **Restriction to one of the following inventions is required under 35 U.S.C. 121:**
 - I. **Claims 1-45 and 69-70**, drawn to accessing multimedia content, classified in class 715, subclass 501.1.
 - II. **Claims 46-56**, drawn to editing and arranging segments of a multimedia file, classified in class 715, subclass 501.1.
 - III. **Claims 57 and 73-79**, drawn to transcoding a multimedia file to accommodate a client display, classified in class 715, subclass 523.
 - IV. **Claims 58-66 and 80-83**, drawn to searching for relevant multimedia content, classified in class 715, subclass 501.1.

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V. **Claims 67-68**, drawn to sending multimedia bookmarks over a network, classified in class 715, subclass 501.1.

VI. **Claims 71-72**, drawn to verifying inclusion of attachments to electronic mail messages, classified in class 715, subclass 530.

5. The inventions are distinct, each from the other because of the following reasons:

Inventions I, II, III, IV, V, and VI are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention II has separate utility such as editing a multimedia file without using multimedia bookmarks to identify the segments of multimedia. In the instant case, invention III has separate utility such as transcoding multimedia files which do not have multimedia bookmarks for display on limited client devices. In the instant case, invention IV has separate utility such as searching for multimedia files and transferring found multimedia files without accessing the files, such as in a file sharing service network. In the instant case, invention V has separate utility such as transmitting a multimedia bookmark to recipient for the purpose of identifying multimedia content desirable for transferring without accessing the files, such as in a file sharing service network. In the instant case, invention VI has separate utility such as verifying inclusion of a non-multimedia binary data file attachment. See MPEP § 806.05(d).

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6. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for each group is not required for other groups, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even if the requirement is traversed (37 CFR 1.143).

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter J Smith whose telephone number is 571-272-4101. The examiner can normally be reached on Mondays-Fridays 7:00am-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PJS

November 9, 2004


JOSEPH FEILD
SUPERVISORY PATENT EXAMINER